

**REMARKS/ARGUMENTS**

This Amendment is being filed in response to the Final Office Action dated November 25, 2011, which has been reviewed and carefully considered. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Apparently, due to a clerical error, a status of a prior claim was improperly indicated in a prior amendment. In the interest of expediting consideration and allowance of the pending claims and to ensure that there is no doubt as to the proper status and pending claims, the Applicants have elected to cancel each of claims 1, 2, 4-6, 10-17 and 19-22 and have replaced the prior claims with new claims 23-39. Claims 23 and 36 are independent claims. The prior withdrawn claims are now replaced by claims 37 and 38 also indicated as withdrawn.

It is respectfully submitted that these new claims present no new issues requiring further search as the subject matter presented by the new claims is provided in the previous claims. No new search is necessitated by the new claims which place the claims in better condition for allowance and/or consolidate and reduce issues that may be pending thereafter for appeal. No new matter is added by the new claims. Accordingly, consideration and entrance of the new claims is respectfully requested.

Further, the rejections pending from the Final Office Action will be addressed herein as it pertains to the current listing of the claims.

In the Final Office Action, claims 10-12, 19 and 22 are rejected under 35 U.S.C. §112, second paragraph. This rejection of the claims is respectfully traversed. However, in the interest of expediting consideration and allowance of the pending claims, the Applicants have elected to amend the claims to address the concerns raised in the Final Office Action. Accordingly, it is respectfully submitted that the rejected claims are in proper form and it is respectfully requested that this rejection be withdrawn.

In the Final Office Action, claims 1, 4-6, 10-16, 19 and 22 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,933,960 to Avidor ("Avidor") in view of U.S. Patent No. 6,434,828 to Andrews ("Andrews") in view of U.S. Patent No. 6,442,840 to Zucker ("Zucker") and in view of U.S. Patent No. 5,661,907 to Apprille, Jr. ("Apprille"). Claim 2 is rejected under 35 U.S.C. §103(a) over Avidor in view of Andrews in view of Zucker in view of Apprille and in view of U.S. Patent No. 5,038,472 to Iderosa ("Iderosa"). These rejections are respectfully traversed. It is respectfully submitted that the rejected claims are allowable for at least the following reasons.

Contrary to the Final Office Action position stated at page 3, in Avidor the rear roller 122 is attached in front of the cutting blades relative to the cutting direction. The direction is indicated by an arrow inside the cylinder 11 and also by the orientation of the blades 5 and 6 (see, Avidor Figures 2, 3, 5, 8 and 9). This configuration shown by Avidor is **opposite** of "the device attached to the body behind said cutting blades relative to the cutting direction", as recited in claim 23. Similarly, the rotary assembly 104 of Avidor, utilized in the Final Office Action for showing the "guard" recited in the claims is attached

behind the cutting blades relative to the cutting direction. Accordingly, the showing of Avidor is **opposite** of "a guard arranged in front of said cutting blade relative to said cutting direction", as recited in claim 23. An example of the recited guard is shown in the present application in FIGs. 1 and 2 which clearly shows a direction 34 (opposite that which is shown in Avidor) and positioning of the blades 10, 12.

With regard to the location of the handle attachment, it is respectfully submitted that Avidor does not teach, disclose, or suggest "the location defining a force component resulting from the pressure distributed equally between the device and the guard", as recited in claim 23.

With regard to the hair erecting and lubricating functions of the guard recited in the claims, the Final Office Action on page 3 references the rotary assembly 104 of Avidor as showing these functions. However, the claims, provide that it is the guard at the opposite end of the head that is adapted to perform these functions (i.e., "guard arranged in front of said cutting blade relative to said cutting direction"), and as such, it is respectfully submitted that the showing of Avidor has nothing to do with the claims recitation.

Moreover, with regard to the claims recitation of a motor for increasing the rotational speed, it is respectfully submitted that the Final Office Action on page 4 mischaracterizes the disclosure of Avidor at page 10, lines 23-25, which merely provides:

In one possible example, rear roller 122 is driven by the drive mechanism such that it turns against the surface of the user's skin

It is respectfully submitted that this portion of Avidor nor any portion for that matter does not teach, disclose, or suggest increasing the rotational speed "resulting from the movement in the cutting direction", as recited in the claims.

It is undisputed, as admitted at page 4 of the Final Office Action, that Avidor fails to teach, disclose or suggest skin stretching. Andrews is introduced to show knowledge of skin stretching devices in the art of shaving and Zucker is introduced to show two rollers to stretch the skin. However, it is respectfully submitted that Andrews and Zucker fail to remedy the above discussed deficiencies in Avidor.

It is undisputed, as admitted at page 5 of the Final Office Action, that Avidor in view of Andrews and Zucker fails to disclose that a force is distributed equally. Apprille is introduced to show balancing out force distribution, however, it is respectfully submitted that reliance on Apprille is misplaced.

As previously argued Apprille discusses distribution among the cutting edges not "between the device and the guard", as recited in the claims. The Final Office Action references Apprille at col. 2, lines 32-36 and col. 7, lines 48-65, as showing balancing out the force distribution based on the position of the pivotal axis. However, a close reading of the referenced sections reveals that the forces of Apprille are the "[s]having forces are balanced equally over the cutting edges", see, Apprille at col. 2, and the "shaving forces applied to the cutting edges", see, Apprille at col. 7. Placing the pivot axis in a location where "shaving forces applied to the cutting edges" are balanced does not teach, disclose, or suggest, the location defining a force component resulting from the pressure distributed

equally between the device and the guard as recited in the claims. The claims recite that the forces are "distributed equally between the device and the guard". These forces may include "shaving forces applied to the cutting edges", but they also include all the other forces that affect the device for stretching skin and the guard arranged in front of said cutting blade.

Moreover, Andrews, Zucker, and Apprille fail to remedy other deficiencies in Avidor as discussed above.

It is respectfully submitted that claim 23 is not anticipated or made obvious by the presented prior art references. For example, Avidor, Andrews, Zucker, and Apprille do not teach, disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "a device for stretching skin, the device attached to the body behind said cutting blades relative to the cutting direction; a guard arranged in front of said cutting blade relative to said cutting direction; and a handle attached to the body at a location of a pivot axis for exerting pressure on the body, the location defining a force component resulting from the pressure distributed equally between the device and the guard" as recited in claim 23, and as similarly recited in claim 36.

Further, Avidor, Zucker, and Apprille do not teach, disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "a roller driven with a rotational speed resulting from the movement in the cutting direction for stretching skin coupled to the body behind said cutting blades relative to the cutting direction" and "a motor coupled to the roller for increasing the rotational speed", as recited in claims 30 and 36.

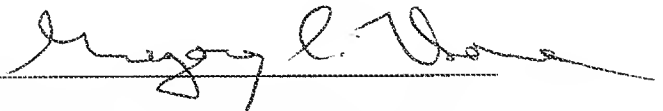
Ildersa is is cited to allegedly show elements of a dependent claim and as such does not remedy the deficiencies of Avidor, Andrews, Zucker, and Apprille

Based on the foregoing, the Applicants respectfully submit that the independent claims are patentable and notice to this effect is earnestly solicited. The dependent claims respectively depend from one of the independent claims and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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